

#13

## DECLARATION - USA PATENT APPLICATION

COPY OF PAPERS  
ORIGINALLY FILED

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled ACCELERATED ACCESS TO AN ELECTRONIC CATALOG; Application No. 10/055,873, filed January 22, 2002;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/263,347

Filing Date: January 22, 2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Thomas Buettgenbach**

Inventor's signature

Date 15 Apr 2002

Residence: 3535 1<sup>st</sup> Avenue, Suite 14D, San Diego, California 92103

Citizenship: **Germany**

Post Office Address: **Same as Above**

---

Full name of second inventor: **Finbar Sheehy**

Inventor's signature

Date

4/15/02

Residence: **780 West G Street, Apartment 171, San Diego, California 92101**

Citizenship: **Ireland**

Post Office Address: **Same as Above**

**COPY OF PAPERS  
ORIGINALLY FILED**

---

Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**

MSO-2534.DOC:afa  
021402

BACHCO.001A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Buettgenbach, et al. )  
App. No. : 10/055,873 )  
Filed : January 22, 2002 )  
For : ACCELERATED ACCESS TO AN )  
ELECTRONIC CATALOG )  
Examiner : Unknown )

COPY OF PAPERS  
ORIGINALLY FILED

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the Inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

App. No. : 10/05 73  
Filed : January 22, 2002

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

COPY OF PAPERS  
ORIGINALLY FILED

The Bach Corporation

Dated: 18 April 2002

By:

  
Thomas Buettgenbach

Title:

Address: 415 South Cedros, Suite 200  
Solana Beach, California 92075

MSO-2536.DOC:afa  
021402

Application No.: 10/055,873  
Filing Date: January 22, 2002

**COPY**  
Not For Recordation

PATENT  
Client Code: BACHCO.001A  
Page 1

**COPY OF PAPERS  
ORIGINALLY FILED**

**ASSIGNMENT**

WHEREAS, We, Thomas Buettgenbach, a German citizen, residing at 3535 1st Avenue, Suite 14D, San Diego, California 92103, and Finbar Sheehy, an Irish citizen, residing at 780 West G Street, Apartment 171, San Diego, California 92101, have invented certain new and useful improvements in an ACCELERATED ACCESS TO AN ELECTRONIC CATALOG for which we have executed an application for Letters Patent in the United States, with Application No. 10/055,873, filed January 22, 2002;

AND WHEREAS, The Bach Corporation (hereinafter "ASSIGNEE"), a Nevada Corporation, with a business address at 415 South Cedros, Studio 200, Solana Beach, California 92075, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of April, 2002.

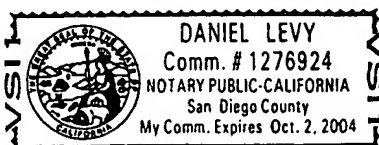
  
Thomas Buettgenbach

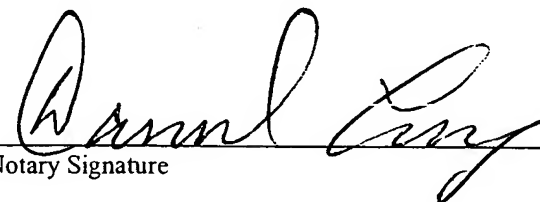
STATE OF California }  
COUNTY OF San Diego } ss.

On April 18, 2002 before me, Daniel Levy, personally appeared Thomas Buettgenbach personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

COPY OF PAPERS  
ORIGINALLY FILED

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of April, 2002.

Finbar Sheehy  
Finbar Sheehy

STATE OF California  
COUNTY OF San Diego } ss.

On April 18, 2002 before me, Daniel Levy, personally appeared Finbar Sheehy personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

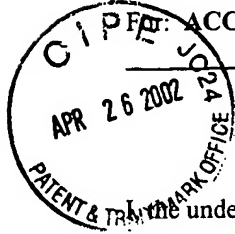
[SEAL]



Daniel Levy  
Notary Signature

ACCELERATED ACCESS TO AN ELECTRONIC CATALOG

COPY OF PAPERS  
ORIGINALLY FILED



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS**

I, the undersigned, do hereby declare that:

☒ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: THE BACH CORPORATION

ADDRESS OF CONCERN: 415 South Cedros, Studio 200, Solana Beach, CA 92075

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

**\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Thomas Buettgenbach

TITLE OF PERSON:

ADDRESS OF PERSON SIGNING: 415 South Cedros, Studio 200, Solana Beach, CA 92075

SIGNATURE: 

DATE: 18 April 2002